

Human Resources Policy Manual

III. Staff Personnel Policies

Section 3.01 Employee Rights; University's Obligations; Anti-discrimination Policy; Affirmative Action Policy

The University of the Virgin Islands is committed to assuring that its workplace is free from unlawful discrimination and harassment based upon race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation (including gender identity), status as a U.S. veteran (disabled, Vietnam or other), or any other status protected by University policy, local or federal law.

The University of the Virgin Islands reaffirms and emphasizes its commitment to provide a professional working and learning environment that is fair and responsible; that supports and nurtures educational and employment growth on the basis of relevant factors, such as ability and performance; and that is free of unlawful discriminatory, inappropriate, and disrespectful conduct or communication. The University will not tolerate unlawful discrimination or harassment and is committed to preventing it or stopping it whenever it may occur at the University or in its programs.

The policy applies to employees, students, visitors, applicants, or program participants at the University of the Virgin Islands. Respect is the foundation for interchange of ideas, for learning and for working toward common goals. Further, unlawful discrimination and harassment impede the realization of the University's vision of distinction in education, scholarship, and service, and diminish the whole community.

Unlawful Discrimination

The University of the Virgin Islands prohibits unlawful discrimination, which can include disparate treatment directed toward an individual, or group of individuals, based on race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation (including gender identity), status as a U.S. Veteran (disabled, Vietnam, or other), or other protected class, that adversely affects an employee's employment.



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Harassment

The University of the Virgin Islands also prohibits harassment, which can be a form of unlawful discrimination, if it is unwelcome and is sufficiently severe or pervasive so as to substantially interfere with a person's work or education. Harassment may include, but is not limited to, threats, physical contact or violence, pranks, jokes, epithets, derogatory comments, vandalism, or verbal, or written conduct directed at an individual or individuals because of their race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age, marital status, sexual orientation (including gender identity), or U.S. veteran status. Even if actions are not directed at specific persons, a hostile environment may be created when the conduct is sufficiently severe, pervasive or persistent so as to unreasonably interfere with or limit the ability of an individual to work, study, or otherwise to participate in activities of the University.

It is the University's goal to prevent the occurrence of unlawful discriminatory and harassing activity and to promptly stop such conduct when it occurs. While grounded in local or federal non-discrimination laws, this policy may cover those activities which, although not severe, persistent, or pervasive enough to meet the legal definition of harassment, are inappropriate and unjustified in an educational or work environment. A determination as to whether discrimination or harassment has occurred will be based upon the context in which the alleged conduct occurs.

Retaliation

Retaliation against an individual for making a complaint of unlawful discrimination or harassment, or for otherwise using or participating in the informal or formal complaint resolution process, is a violation of University policy and federal law. Any such action is cause for disciplinary action up to and including dismissal.

Section 3.02 Americans with Disabilities Act Policy

Discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, and compensation, job training and other terms, conditions and privileges of employment, is prohibited by the Americans with Disabilities Act (ADA).

The University is committed to making reasonable accommodations for qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job in which they have been hired, or for which they have applied.

The University recognizes responsibility for providing all disabled employees equal or equivalent access to all benefits of employment in an integrated setting that would